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San Diego Local Agency Formation Commission

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January 16, 2009

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Devon Muto, Chief of Land Use
County of San Diego
Department of Planning and Land Use
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Subject: San Diego LAFCO comments on the County of San
Diego's Draft General Plan Update

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Dear Mr. Muto:

Carl Hilliard
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City of Del Mar

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Municipal Water District

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Thank you for the opportunity to provide comments on the Draft General Plan Update. As you are aware, LAFCO has legal purview over proposed changes to local governmental boundaries and is responsible for establishing and maintaining the spheres of influence for all public agencies in the County of San Diego. State Law defines a sphere of influence as a plan for the probable physical boundaries and service area of a local agency, as determined by LAFCO (Government Code § 56076). Since spheres are important determinants for shaping logical development patterns, general plan update programs within cities and counties need to be closely coordinated with adopted spheres of influence. It is also important that coordination occur between the County and special district service providers.

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In many cases, the availability of adjacent city services that can support development in the unincorporated territory has encouraged some cities to establish land use plans for higher densities within city spheres than the County of San Diego has planned to accommodate. In other cases, the County has planned for higher densities on the periphery of cities than affected city or special district service providers have anticipated within their existing general plans and master facility plans. This can produce conflicts for the development of plans for an area.

Executive Officer

Michael D. Ott

Therefore, within the development of the framework for the future growth and development of the unincorporated areas of the County of San Diego, it is important for the County's General Plan Update to consider the existing general plans and spheres of influence of the adjacent cities as well as the master plans and spheres of influence of the adjacent and

Counsel

William D. Smith

overlapping special district service providers. Close coordination with these local governmental agencies will ensure that the County's General Plan Update and associated Community Plans are in harmony with the long-range plans that affect not only the unincorporated areas, but also the San Diego Region as a whole. Government Code § 56425 (b) requires coordination between the County and municipal service providers in the update of spheres of influence.

After review of the Draft General Plan Update, LAFCO wishes to submit the following comments:

1. As LAFCO is responsible for encouraging orderly growth and development, enabling the provision of housing for families of all incomes, discouraging urban sprawl, preserving open-space and prime agricultural lands, and ensuring the timely and efficient extension of governmental services, it is noted that the Draft General Plan Update's goals, policies, and guiding principles address these important regional topics both specifically and comprehensively.
2. While goals and policies regarding inter-jurisdictional coordination are discussed, there is no mention within the body of the Draft General Plan of either LAFCO's discretionary role in the expansion of incorporated cities and special districts boundaries and service areas, or the need for coordination with the adopted spheres of influence of the cities or special districts.
3. The Draft General Plan Update's glossary definition of LAFCO does not mention the Commission's legal authority to establish and maintain spheres of influence for all local agencies in the county of San Diego and should be corrected to reflect this important discretionary power.
4. Within the goals and policies for the land use element, Policy LU-1.7 (Relationship of County Land Use Designations with Adjoining Jurisdictions) states the County's policy to *"Prohibit the use of established or planned land use patterns in nearby or adjacent jurisdictions as precedent or justification for land use designations of unincorporated County lands."* This policy does not consider Government Code § 56375 (a)(7), which states *"The decision of the Commission (LAFCO) with a regard to annex territory to a city shall be based upon the general plan and prezoning of the city."*
5. Land Use Element Goal LU-4 (Inter-jurisdictional Coordination) states the County's goal to establish *"Coordination with the plans and activities of other agencies that relate to issues such as land use, community character,*

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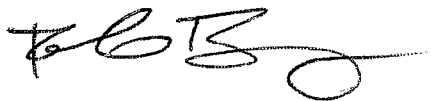
transportation, energy, other infrastructure, public safety, and resource conservation and management in the unincorporated County and the region."

While LAFCO is supportive of the intent of the goal, there is no mention within the associated policies of the discretionary role of LAFCO or of the existence of city and special district spheres of influence that include unincorporated territory. It should also be noted that inclusion of territory in a subject city's sphere of influence is a prerequisite of annexation eligibility.

6. As Policy LU-4.5 (Annexations with Incompatible Land Uses) states the County's intent to "*Oppose annexations by neighboring cities that would result in land uses incompatible with unincorporated lands*", it is vital that the County's General Plan Update and associated Community Plans review and consider all adjacent cities' existing spheres of influence in order to avoid the potential for incompatible land use planning within affected unincorporated territory.
7. Because of the limited availability of imported water supply from the County Water Authority (CWA), and the limited availability of other urban services in the unincorporated territory, such as sewer and fire/emergency services, the County's future growth and development should consider and coordinate with the long-range master plans and spheres of influence of the special districts that provide these services to the San Diego Region. While the affected special districts should also coordinate with the County's land use plans, many of these service providers have existing master facility plans that are currently being implemented within their existing service areas. Accordingly, it is incumbent on the County to ensure that adequate levels of existing and proposed services and infrastructure are available or anticipated in order to support sustainable land use planning in the unincorporated areas. The existing spheres of influence of the affected special districts should be acknowledged and noted as a tool for the County to utilize within the process of updating local community plans.

Should you have any questions, or if San Diego LAFCO may be of any further assistance, please contact me at (619) 531-5409.

Sincerely,



ROBERT BARRY
Local Governmental Analyst
RB:tl